

The Pacific Commercial Advertiser

U. S. WEATHER BUREAU, January 5.—Last 24 Hours' Rainfall, .00.
Temperature, Max. 74; Min. 62. Weather, fair.

VOL. XLIX, NO. 8240.

HONOLULU, HAWAII TERRITORY, WEDNESDAY, JANUARY 6, 1909.

SUGAR.—96 Degree Test Centrifugals, 3.70c. Per Ton, \$74.00.
88 Analysis Beets, 10s. 1 1/4d. Per Ton, \$82.80.

PRICE FIVE CENTS.

GOVERNMENT AT A STANDSTILL WHILE OFFICIALS DO POLITICS

Struggle Between Mayor and Supervisors at Last Night's Session---Republicans Still Hold the Fort.

The deadlock between the Mayor and the Board of Supervisors was undisturbed at the first regular meeting of the city fathers last night. If there be any change in the situation, it is that the complications are more complicated, the mutual attitudes of the contending parties more hostile, the situation worse. Everything the Mayor attempted to do was sidetracked and flouted by the Supervisors; everything the Supervisors tried to do was blocked by the Mayor's refusal to present the motions. There was no particularly acrimonious talk, no jibes, and only one threat, that made by Logan, who intimated that the position of the Mayor's secretary might be attacked. The assembly room was jammed by those who came to see the fight, and there was considerable applause at times, some shouted comments from the spectators, and a great deal of laughing.

The Mayor announced his choice of committeemen, filed a letter with the County Attorney asking for some kind of a short cut out of the maze, stated his disbelief in the validity of everything that was being done, and appealed several times for harmony.

The Republican Supervisors repeated each of the moves made by them at the special meeting on Monday, passed a resolution legalizing each of the actions taken at the special meeting, introduced an appropriation bill for a quarter of a million dollars and passed it over the Mayor's head, confirmed various appointments, recognized their own standing committees, and ignored those of the Mayor, and generally rode roughshod over His Honor and Supervisor McClellan.

The Mayor had little to say and said that according to the notes handed him, while the County Attorney wrote a few notes on his own account and passed them around among the Supervisors. He also officially recognized the Supervisors' committees and ignored those of the Mayor.

Dan Logan presided over the meeting for about two-thirds of the time, having been apparently recognized as the supervisory leader. From him Fern took the count a score of times. The Mayor put only three motions during the evening.

Minutes Objected To.

The row started immediately after the minutes had been read. The clerk had incorporated everything that had been done on Monday, including the business prior to the official calling of the meeting. Mayor Fern stated that he would put no motion to adopt the minutes as they were wrong. He stated that he wished to secure advice from the County Attorney on this point and asked that the adoption of the minutes be not pressed until he had done so.

Supervisor McClellan sustained him, but the majority demanded the question. The Mayor asked for a suspension of the adoption as a matter of courtesy.

"We do not want to appear discourteous," answered Quinn, "but these minutes are just exactly as we remember what took place. Every member of the board is satisfied with the minutes. I ask that they be adopted."

Fern put the motion, which carried six to one.

Mayor Announces Committees.

Mayor Fern beat everyone to the floor as soon as this vote was taken and proceeded to announce the names of the standing committees selected by him, stating that he did so under the advice that the rules of the former Board of Supervisors were still in force. Cox interrupted to tell the Mayor that he was out of order.

The standing committees and the members, as announced, were those named as the choice of Mayor Fern in this paper yesterday.

As soon as the reading of the list was concluded, Aylett, Ahia and Logan all rose, but were waved back to their seats by the Mayor, who announced that he had a letter for the County Attorney that he wanted presented and read by the clerk. The letter was:

Many Questions Submitted.

"In view of the apparent differences of opinion that have arisen as to the meaning of certain portions of the Municipal Act, I desire your legal opinion, in writing, on the following points:

"Section 142 of the act incorporating the City and County of Honolulu provides as follows:

"Section 142. All ordinances, orders and resolutions of the Supervisors of the County of Oahu in force at the time this charter takes effect and not inconsistent herewith shall continue in force until amended or repealed by the Board of Supervisors of the City and County of Honolulu.

"Under this provision, when did the charter provided for in said act take effect? Was the charter in effect during the month of December last?

"If you are of the opinion that the

charter did not take effect until noon of January 4 of this year, what effect, if any, did the resolution passed by the retiring Board of Supervisors of the County of Oahu, doing away with all offices and positions not expressly created by the County Act or by ordinance, have upon the appointments made by me as Mayor during the month of December, pursuant to Section 146 of the Municipal Act?

"Again, I would further ask your opinion on this point: If, as a matter of fact, appointments were duly made by me as Mayor under Section 146 of the Municipal Act between the first day of January of this year, and the persons so appointed thereupon qualified, as in the Municipal Act provided, and were ready to take office before the passage by the Board of Supervisors of the County of Oahu of the resolution above referred to, on the 4th day of January, would or could such action by said Board of Supervisors annul the appointments made by me as Mayor at a time when the offices filled by me existed under lawful regulations of the Board of Supervisors of the County of Oahu?

"What appointments is the Mayor required to make under Section 146 of the Municipal Act?

"Assuming that the Board of Supervisors of the County of Oahu had authority to do away with offices and positions filled by me as Mayor under Section 146 of the Municipal Act, during the month of December, is the resolution as passed by them on the 4th day of January, 1909, a valid and legal resolution, particularly taking into consideration that it attempted to sweep away at once all boards, committees, commissions, offices, positions and employments theretofore created by the Board of Supervisors of the County of Oahu, except those created by ordinance; and taking into consideration further that it attempted to do away with all motions, votes, orders, resolutions, rules and regulations creating or tending to create such boards, committees, commissions, offices, positions and employments, and taking into consideration that it also attempted in the same resolution to do away with all rules and regulations adopted by said Board of Supervisors and then in force?

"In other words, I desire to have your opinion as to whether such a sweeping resolution is valid or whether it is not invalid and abortive, as unreasonable and arbitrary, making no provision in said resolution for the substitution of any other rules, resolutions or orders providing for the maintenance of the business of the county.

"Turning to the action taken by the Board of Supervisors under the Municipal Act at the special meeting of said Board, held on the 4th inst., I desire your opinion on the following points:

"Does the resolution and vote under which the Board of Supervisors assumed to adopt certain rules and regulations for the government of that body come within the provisions of Section 20, Chapter 4, of the Municipal Act? In short, should that resolution properly come before me for approval or veto? And in that connection I desire further to ask whether the provision in said rules purported to be adopted by the present Board of Supervisors, particularly Section 13, authorizing the Committee on Roads and Bridges, etc., to engage all employees under said department, constitutes a provision involving

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City and County Officers



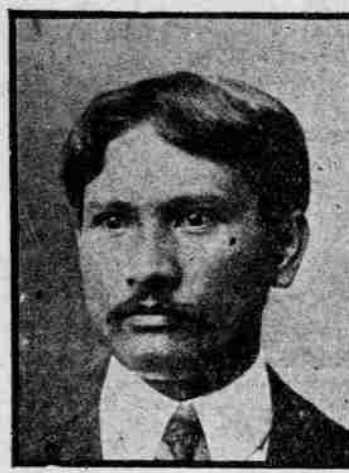
SHERIFF W. P. JARRETT.



AUDITOR JAS. E. BICKNELL.



TREASURER RICHARD H. TRENT. DEPUTY SHERIFF CHAS. H. ROSE.



COUNTY CLERK KALAUOKALANI.

GOV. FREAR RETURNING ON THE S. S. SIBERIA

Governor Frear is due to arrive here on the Siberia from San Francisco on the 15th. There are a number of matters which Acting Governor Mott-Smith is holding up until his return, among them being Marston Campbell's report on his trip to Kauai. In this report Mr. Campbell takes up the question of the monster waterworks system at Kapaa. Land Commissioner Pratt's report is also on file in the Acting Governor's office. No action on either of these will be taken now.

HOLLOWAY REAPPOINTED.

C. S. Holloway has been reappointed as executive officer of the Board of Agriculture and Forestry by Acting Governor Mott-Smith. Holloway sent in his resignation some time ago, but was prevailed upon to continue.

GEN. WESTON SAYS LEILEHUA IS IDEAL

"Leilehua is a fine site in a beautiful country and it is an ideal location for a great army post which I understand is to be built there."

Major General Weston, United States Army, made this statement aboard the transport Sheridan as the transport was about to leave for San Francisco last evening. The General had spent most of the day at Fort Shafter and Leilehua as the guest of Major Foster, Major Dunning and Captain Castner. They went to Leilehua by auto and the General critically inspected the reservation. He was greatly impressed with it. As he will in a measure be interested in the development of the Army post there, as commander of the military department of California, it is a good thing that he is satisfied.

In the last few days about 250 Hawaiians and Japanese laborers have gone to Leilehua to rush the completion of the cavalry cantonment. Some of the troops who are to man it left San Francisco yesterday on the transport Thomas and will be here about January 12, so that the cantonment must be completed in haste.

Over 200,000 feet of lumber arrived from Seattle on the American-Hawaiian freighter Alaskan last week, but so far only about 30,000 feet have been gotten out and shipped up to Leilehua. This lumber was stowed away underneath lumber consigned to other parties. It will be rushed to Leilehua as fast as discharged. Captain Castner, constructing quartermaster, in charge of the building of the cantonment, expects to have the camp completed by the time the troops and horses arrive.

Mr. Kinney for Mayor Fern

Editor Advertiser: It seems to me you are rather hard on Mayor Fern, particularly in making him your text to prove the low status of the electorate of Hawaii and the failure of local self-government. Mayor Fern's two chief acts have thus far been the selection of appointees to take office under the Municipal Act and the naming of committees on the Board of Supervisors. While it is true he has named appointees for many subordinate and minor offices, where there is doubt that these appointments are to be made by him, yet the fact remains that he has continued in office for leading and responsible positions most of the present incumbents. The Fire Department, the

County Engineer's office, the Electric Works and the Fire and Police Alarm System are left in the hands of old appointees, everyone of whom, I understand are Republicans.

The committees the Mayor had prepared to appoint in the Board of Supervisors give but one chairmanship to McClellan, the Democratic member, and the selections otherwise certainly seem as good as the selections made by the Supervisors themselves. In the latter selections McClellan is given no chairmanship at all, but occupies a subordinate position on a committee of minor importance.

In this connection, it should be re-

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TYPHOID FEVER HAS BROKEN OUT AMONG MESSINA'S SUFFERERS

All the Living May Have to Be Removed From the Ruined Cities of Calabria and Sicily ---The Flow of Bounty.

(Associated Press Cablegrams.)

MESSINA, January 6.—Typhoid fever has broken out here and the medical authorities are considering the removal of all living persons from the destroyed cities.

ANXIETY AT ROME.

ROME, January 6.—The report that typhoid fever has broken out in Messina causes the gravest anxiety.

A GIFT FROM AMERICA.

The King received United States Ambassador Griscom yesterday. The latter presented the Italian government in the name of the American people, the steamer Bayern laden with provisions and medicine for the earthquake sufferers.

RELIEF FROM NEW YORK.

NEW YORK, January 6.—Twenty-five tons of clothing and fifteen tons of provisions were forwarded yesterday by the steamer Hamburg for the victims of the Italian earthquake.

AFTERNOON SERVICE.

REGGIO, January 5.—More earthquake shocks were felt here today, occurring at intervals of twenty minutes.

MESSINA, January 5.—Shocks of earthquake still continue. Fourteen thousand dead have been buried.

PORT SAID, January 5.—The dispatch boat Yankton left this city today for Messina. The first squadron of the fleet is here and the second squadron is now passing through the Suez canal.

WASHINGTON, January 5.—President Roosevelt today signed the bill appropriating \$800,000 for the immediate relief of the sufferers from the Italian and Sicilian earthquakes.

CALIFORNIA LEGISLATURE WILL BALLOT FOR SENATOR

SACRAMENTO, January 6.—The Legislature will meet in joint session today to elect a Senator.

The Suffragettes, one thousand strong, plan to besiege the Legislature on behalf of a bill granting the ballot to women.

SACRAMENTO, January 5.—Governor Gillett's message to the Legislature advises legislation against rebates and better control of the railroads and banks of the State.

TROUBLES SETTLED BETWEEN PANAMA AND COLOMBIA

WASHINGTON, January 6.—A treaty between Colombia, Panama and the United States, settling all controversies between them, has been signed and diplomatic and commercial relations will be resumed. Panama agrees to pay Colombia \$2,500,000 in ten annual instalments, the money to be furnished by the United States.

THE WIDOW'S MITE

SAN FRANCISCO, January 6.—Mrs. Claus Spreckels has been granted an allowance of \$4000 per month pending the probate of her late husband's will.

HARRIMAN MERGER SUIT

WASHINGTON, January 6.—The suit brought by the government to dissolve the Harriman railroad merger went to trial yesterday.

RELIGIOUS RIOTS DISTURB CALCUTTA.

CALCUTTA, January 5.—Religious riots, in which Mahomedans and Hindus are taking part, are causing great trouble in this city. The situation has reached such a crisis that the British troops have been compelled to fire on the Hindus in order to preserve order.

REVOLUTION NEAR MUKDEN.

AMOY, January 5.—A revolutionary outbreak has occurred near Mukden.

PLIGHT OF JAPANESE EMIGRATION COMPANIES.

The prohibition of emigration to Hawaii has dealt a serious blow to the Japanese emigration business. Over thirty emigration companies in this country have almost all suspended business and some of them, says the Japan Times, have closed their doors. Those continuing business are the Morika Co., Empire Emigration Co. and Meiji Emigration Co. They remain in business with no small difficulty by sending emigrants to South America, chiefly Brazil and Peru. But the steady growth of national expansion, the Tokio paper remarks, does not allow the Japanese to confine themselves any longer within the limited extent of their fath-

erland, while of late the national tendency is greatly prone to overseas development. Some time ago Messrs. Hase and Otsuki, of the Sendai Emigration Co., organized the Canada Farming Co. as a joint stock enterprise. The company is now engaged in farming work in Canada for furtherance of the object with which it was started. Quite recently a party of the shareholders of the Empire Emigration Co. started a new emigration company named the Teikoku Shokumin Kaisha, with a capital of 2,000,000 yen, to send emigrants to Brazil and other South American states. Should these new concerns be successfully floated and aim at the development of their business under the government's aid and assistance, the emigration business will revive.—Shipping Illustrated.